

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ANDREW G. MCCABE,

Plaintiff,

v.

WILLIAM P. BARR,
in his official capacity as
ATTORNEY GENERAL OF THE
UNITED STATES, *et al.*,

Defendants.

Civil Action No. 19-2399 (RDM)

**THE PARTIES' JOINT MOTION TO SET A BRIEFING SCHEDULE ON
DEFENDANTS' MOTION TO DISMISS AND FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Local Civil Rule 7(b), the parties jointly move the Court to extend Plaintiff's time to oppose Defendants' Motion to Dismiss and for Summary Judgment (Dkt. 23) until December 20, 2019, and to extend Defendants' time to file a reply until four weeks after Plaintiff's opposition is filed. Good cause exists to grant this motion, as set forth below.

1. This is Plaintiff's first request for an extension of time in this case.
2. Plaintiff filed this action on August 8, 2019.
3. Plaintiff did not oppose Defendants' earlier motion to extend the time to file their response to his Complaint (*see* Dkt. 20), which this Court granted by minute order on October 15, 2019.
4. On November 1, 2019, Defendants filed their Motion to Dismiss and for Summary Judgment. (Dkt. 23.) Under Local Civil Rule 7(b), Plaintiff currently has 14 days, or until

November 15, 2019, to respond to Defendants' motion.

5. Plaintiff's counsel of record will frequently be out of the office for personal and professional obligations this month and in early December 2019.

6. If Plaintiff files his opposition brief on or around December 20, 2019, then Defendants' reply brief will be due in the midst of the winter holidays. Undersigned counsel for Defendants will be out of state and/or out of the office frequently in late December. To account for this, and for the need for coordination among multiple defendants, the proposed three-week extension of time to file the reply brief, until four weeks after Plaintiff's opposition is filed, is warranted.

For the foregoing reasons, the Court should extend Plaintiff's time to oppose Defendants' Motion to Dismiss and for Summary Judgment until December 20, 2019, and extend Defendants' time to file a reply until four weeks after Plaintiff's opposition is filed.

November 10, 2019

Respectfully submitted,

/s/ Murad Hussain
Howard N. Cayne (D.C. Bar. No. 331306)
Murad Hussain (D.C. Bar. No. 999278)
Owen Dunn (D.C. Bar. No. 1044290)
Ryan D. White (D.C. Bar No. 1655918)
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Avenue, NW
Washington, DC 20001-3743
Telephone: (202) 942-5000
Fax: (202) 942-5999

Attorneys for Plaintiff Andrew G. McCabe

JOSEPH H. HUNT
Assistant Attorney General

CHRISTOPHER R. HALL
Assistant Branch Director

/s/ Justin M. Sandberg

JUSTIN M. SANDBERG

Senior Trial Counsel

KYLA M. SNOW (Ohio Bar No. 96662)

Trial Attorney

U.S. Dep't of Justice, Civil Div., Federal Programs Branch

1100 L Street, NW

Washington, D.C. 20001

Phone: (202) 514-5838

Fax: (202) 616-8460

Justin.Sandberg@usdoj.gov

Counsel for Defendants

